

REMARKS

The foregoing amendment amends claims 6 and 101 for purposes of formality. Pending in the application are claims 1-7 and 65-108, of which claims 1 and 99 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claim 6 is amended to depend from claim 1 and claim 101 is amended to depend from claim 100. *No new matter is added.*

Amendment and/or cancellation of the claims is not to be construed as an acquiescence to any of the objections/rejections set forth in the instant Office Action, and were done solely to expedite prosecution of the application. Applicants reserve the right to pursue the claims as originally filed, or similar claims, in this or one or more subsequent patent applications.

Claim Rejections under 35 USC § 112

Regarding the rejection of claim 101 under 35 USC § 112, claim 101 now depends from claim 100, which recites a "first actuator."

Claim Rejections under 35 USC § 102

Applicants thank the Examiner for the close review of the claims and for indicating that claims 1-4, 6, 7 and 65-98 are allowed and that claims 103-104 recite patentable subject matter. In the Office Action, the Examiner rejects claims 99-102 and 105-108 under 35 U.S.C. §102(b) as being anticipated by Fitch et al. (U.S. Patent Number 5,722,989). Applicants respectfully traverse the rejection and submit that claims 99-102 and 105-108 distinguish patentably over the cited Fitch reference.

The Fitch reference does not disclose a microfabricated system including a holder, a first pin and a second pin all formed on a single silicon substrate, as recited in independent claim 99. Rather, as clearly shown in Figures 3A and 3B and described in column 5, lines 8-25, the gripping members in the microgripper 30 of Fitch are formed from a plurality of separate silicon wafers. The use of separate wafers is not equivalent to the use of a single, integrated wafer to

form multiple components. In particular, the use of a single, integrated wafer to form multiple components that are movable relative to each other facilitates both fabrication and operation of the claimed microfabricated liquid sample dispensing system.

The Fitch reference *requires* that the holder and gripping members be formed from *separate* components in order to be movable. Therefore, the Fitch reference in fact teaches away from the subject matter of claim 99.

For at least these reasons, Applicants respectfully request that the rejection of claims 99-102 and 105-108 under 35 U.S.C. §102(b) be reconsidered and withdrawn.


CONCLUSION

In view of the above amendment, applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the above response is not deemed to place this case in condition for allowance, the Examiner is urged to call the Applicants' representative at the telephone number listed below.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TGZ-002 from which the undersigned is authorized to draw.

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Respectfully submitted,

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